



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Scott A. Sinder, Esq.  
Jason A. Abel, Esq.  
Steptoe & Johnson LLP  
1330 Connecticut Ave., NW  
Washington DC 20036  
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NOV 14 2017

RE: MUR 7256  
The Council of Insurance Agents &  
Brokers PAC and Ken Crerar in  
his official capacity as treasurer

Dear Messrs. Sinder and Abel:

On November 6, 2017, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 52 U.S.C. § 30104(b)(3) and (4), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Nicholas Mueller  
Attorney

Enclosure  
Conciliation Agreement

RECEIVED  
FEDERAL ELECTION  
COMMISSION

**BEFORE THE FEDERAL ELECTION COMMISSION** AM 8: 24

In the Matter of The Council of Insurance )  
Agents & Brokers PAC and Ken A. )  
Crerar in his official capacity as )  
treasurer )  
)  
)

OFFICE OF GENERAL  
MUR 7256

**CONCILIATION AGREEMENT**

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities.

The Commission found reason to believe that The Council of Insurance Agents & Brokers PAC and Ken A. Crerar in his official capacity as treasurer ("Respondent" or "Council PAC"), violated 52 U.S.C. § 30104(b)(3) and (4).

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Council PAC is a political committee within the meaning of 52 U.S.C. § 30101(4)(B).

**MUR 7256 (The Council of Insurance Agents & Brokers PAC)  
Conciliation Agreement**

2. Ken A. Crerar is the treasurer of Council PAC.
3. Council PAC is a separate segregated fund of The Council of Insurance Agents & Brokers (the "Council").
4. On December 10, 2015, Alicia Anderson ("Anderson"), the Controller for the Council and the Custodian of Records for Council PAC, made a \$700,000 disbursement from Council PAC to the Council in order to meet an impending cash shortfall at the Council.
5. On January 8, 2016, Anderson transferred \$700,000 from the Council's operating account to Council PAC.
6. The Committee did not report the transfers described in paragraph IV.4 and IV.5 on either Council PAC's 2015 Year-End or 2016 February Monthly Reports to the Commission.
7. On May 20, 2016, Council PAC filed an amended 2015 Year-End Report to include an additional line item denoting a \$700,000 disbursement to the Council listed as a "Mistaken Disbursement" and an amended 2016 February Monthly Report to include an additional line item denoting a \$700,000 receipt from the Council listed as "Return of mistaken disbursement."
8. As a result of the mistaken transfers, Council PAC voluntarily implemented remedial measures and safeguards, including sending staff to attend FEC-sponsored training, naming an assistant treasurer, and changing the custodian of records to prevent any recurrences of these violations.
9. Respondent contends that Mr. Crerar was unaware of the two transfers until after Council PAC's annual audit and would not have authorized them had he known of them.

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**V. Respondent violated 52 U.S.C. § 30104(b)(3)(A), (b)(5)(A) by failing to timely report the disbursement and receipt of \$700,000.**

**VI. 1. Respondent will cease and desist from violating 52 U.S.C. § 30104(b)(3)(A), (b)(5)(A).**

**2. Respondent will pay a civil penalty to the Federal Election Commission in the amount of \$13,000 pursuant to 52 U.S.C. § 30109(a)(5)(A).**

**VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.**

**VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.**

**IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.**

**X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.**

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FOR THE COMMISSION:

Lisa J. Stevenson  
Acting General Counsel

BY: Kathleen M. Guith  
Kathleen M. Guith  
Associate General Counsel  
for Enforcement

10/13/17  
Date

FOR THE RESPONDENT:

Scott Binder  
Scott Binder  
Counsel for Council PAC

9/13/2017  
Date